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All Interested Parties, Statutory Parties and
any Other Person invited to the Preliminary
Meeting

Your Ref:

Our Ref: EN010132

Date: 16 November 2023

Dear Sir/ Madam

Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8 and 9

Application by West Burton Solar Limited for an Order Granting Development Consent for the West Burton Solar Project

Rule 8 Letter - Examination Timetable and other Procedural Decisions

This Rule 8 letter provides important information about the Examination of this application. The letter includes:

- The Examination Timetable
- An invitation to submit Written Representations
- Other Procedural Decisions made by the Examining Authority (ExA)
- Information about the availability of Examination Documents
- Guidance on the use of the [‘Make a submission’](#) tab on the project webpage

All documentation associated with this Examination, including a note of the Preliminary Meeting and the recording of that meeting, can be viewed under the [Documents tab](#) on the project webpage of the National Infrastructure Planning website ([project webpage](#)).

The Examination Timetable

We have made a Procedural Decision about the way the application will be examined. The final Examination Timetable is attached at **Annex A** to this letter.

The Examination Timetable replaces the draft timetable that was included in the Rule 6 letter of 11 October 2023 relating to the resumed Preliminary Meeting. In finalising the Examination Timetable, we have sought to accommodate requests and suggestions made

orally or in writing to the Preliminary Meeting. A list of the main changes we made to the draft Examination Timetable is set out at **Annex B** to this letter.

Please note that the Examination Timetable contains a number of Deadlines for receipt of information by the Planning Inspectorate. All Deadlines are at 23:59 on the date specified. Please ensure submissions arrive by the Deadline. If you do not make your submissions by the dates specified in the timetable, we may disregard them.

We request that all Interested Parties make their submissions using the [Make a Submission](#) tab on the project webpage on or before the applicable Deadline. **Annex D** to this letter provides further information about using the [Make a Submission](#) tab.

If we consider it necessary to vary the Examination Timetable during the Examination, notification will be sent to Interested Parties, Statutory Parties and Other Persons invited to the Preliminary Meeting. The changes will be published on the [project webpage](#).

Written Representations

All Interested Parties are now invited to submit Written Representations and any comments on the Relevant Representations already submitted. These should be submitted by **Deadline 1A** in the Examination Timetable.

Written Representations can cover any relevant matter and are not restricted to the matters set out in our Initial Assessment of Principal Issues set out in Annex D of our Rule 6 letter of 10 August 2023.

Any person, other than the Applicant, who submits a Written Representation must identify those parts of the application with which they agree and those parts with which they do not agree, explaining the reasons why. Interested Parties should also provide with their Written Representations any data, methodology and assumptions used to support their submissions to avoid delays in the Examination (see paragraph 74 of [Planning Act 2008: Guidance for the examination of applications for development consent](#)).

We have requested further types of written submissions at various points in the Examination (see **Annex A**).

Any Written Representations and any further written submissions requested during the Examination, that exceed 1500 words, should also be accompanied by a summary which should not exceed 10% of the original text. The summary should set out the key facts of the written submission and must be representative of the submission made.

Representations **must not include hyperlinks** to documents/evidence hosted on third party websites. Please see the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about Written Representations.

Other Procedural Decisions made by the Examining Authority

Annex B to this letter contains important details and clarifications about other Procedural Decisions we made at, or following, the Preliminary Meeting. These include:

- Examination Timetable
- The Acceptance of Additional Submissions
- Amendments to the Statements of Common Ground requested at Annex H of the Rule 6 letter of 10 August 2023

Format of Examination Events

Our Examination will principally be a written process (see [Advice Note 8.4: The Examination](#)), supplemented where necessary by various types of hearings (see [Advice Note 8.5: Hearings and site inspections](#) and [Advice Note 8.6: Virtual Examination events](#)).

Consistent with the Planning Inspectorates future operating model, the following formats are available to us for hearings:

- **Virtual events:** where participation will be via Microsoft Teams
- **Blended events:** where some participants will attend at the physical venue and others will take part via Microsoft Teams.

The format of hearings to be held during the Examination will be confirmed when we provide formal notification of each hearing. This will be provided at least 21 days in advance of it taking place. Having listened to the comments made by interested parties at the Preliminary Meetings, we intend to hold blended events wherever possible.

Hearings and Site Inspections

The Examination Timetable at **Annex A** to this letter includes periods of time reserved for any hearings to be held, and we will notify all Interested Parties of any hearings scheduled as part of the Examination at least 21 days in advance of them taking place. That notification will include a Deadline for Interested Parties to inform the Planning Inspectorate if they wish to participate at the notified hearing(s).

We will also undertake site inspections. Where we are able to view the site from public land we are likely to do this unaccompanied and a note of the site inspection will be published on the project webpage. The Examination Timetable also reserves time for us to undertake an Accompanied Site Inspection (ASI), should this be required. We will consider each suggested site location, including those provided in the Applicant's draft itinerary, to determine if it could be viewed from public land on an unaccompanied basis or if it is necessary to view it on an accompanied basis. We will also consider if it would be appropriate to make arrangements for access only to be provided to specific sites such that they could be inspected as part of an Unaccompanied Site Inspection (USI) on an access required basis.

Requests to register for Hearings

If you would like to participate in a hearing you are required to submit a request to register on or before the relevant date, the details of which will be provided in the formal notification which will be made available no later than 21 days before the first scheduled hearing date. Any request to register must be made in writing and include the following information:

- Name and unique reference number for yourself or the party you are representing (found at the top of any letter or email from the Planning Inspectorate);
- email address (if available) and contact telephone number;
- which event(s) you would like to participate in;
- whether you will participate via Microsoft Teams or in-person at the venue;
- any special requirements, for example in relation to access;
- the agenda item(s) on which you wish to speak on and a summary of the points you would like to raise; and
- the [Examination Library](#) reference number (with paragraph/page number where appropriate) of any documents you wish to refer to.

It is important that requests to register are submitted separately from any other written submission. Please make your request by selecting the appropriate Deadline and Submission Item on the '[Make a Submission](#).' And ensure the submission is titled appropriately to allow us to quickly identify which event the notification relates to. Annex D of this letter provides further information about the '[Make a Submission](#)' tab.

Please contact the Case Team using the contact details at the top of this letter if you require any support or assistance to attend an Event, either virtually or in person.

Managing Examination correspondence

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an Examination, we aim to communicate with people by email as electronic communication is more environmentally friendly and cost effective for the taxpayer.

If you have received a letter from the Planning Inspectorate but are able to receive communications by email, please inform the Case Team using the contact details at the top of this letter as soon as possible.

As the Examination process makes substantial use of electronic documents, it will be useful for you to become familiar with the [project webpage](#).

Please make your written submissions at the relevant deadlines during the Examination through the [Make a Submission](#) tab on the [project webpage](#) . Further information about the [Make a Submission](#) tab is provided at **Annex D** to this letter.

The 'E-mail updates' function on the right-hand side of the [project webpage](#) gives you the opportunity to register to receive automatic e-mail updates at key stages during the Examination.

Your status in the Examination

You have received this letter because you fall within one of the groups described in the Planning Inspectorate's document [What is My Status in the Examination?](#)

If your reference number begins with 'WEBS', 'WEBS-0', 'WEBS-AFP', 'WEBS-S57' 'WEBS-APP' you are in Group A. If your reference number begins with 'WEBS-SP' you are in Group B. If your reference number begins with 'WEBS-OP' you are in Group C. The



meaning and purpose of those groups are explained in the document published at the link above.

If having read this document you are still unsure about your status, please contact the Case Team using the details at the top of this letter.

Conduct during the Examination and the Awards of costs

All parties to the Examination are expected to behave with respect and courtesy to others at all times during the Examination. This includes the requirements that oral submissions or comments made during hearings are appropriate and relevant to the matter at hand, and that the conduct displayed reflects the need to ensure that all parties are treated fairly and respectfully.

All parties will normally be expected to meet their own costs. Costs can be awarded against a party who has acted unreasonably and has caused the party applying for the award of costs to incur unnecessary or wasted expense during the Examination. You should be aware of the relevant costs guidance [Awards of costs: examinations of applications for development consent orders](#).

Management of information

Information, including representations, submitted in respect of this Examination (if accepted by the Examining Authority) and a record of any advice which has been provided by the Planning Inspectorate is published on the [project webpage](#).

Examination Documents can also be viewed electronically at the locations listed in **Annex C** to this letter.

Please note that in the interest of facilitating an effective and fair Examination, it is necessary to publish some personal information. To find out how we handle your personal information please view our [Privacy Notice](#).

We look forward to working with all parties in the Examination of this application.

Yours faithfully

Andrea Mageean

Lead Member of the Examining Authority

Annexes

- A** Examination Timetable
- B** Other Procedural Decisions made by the Examining Authority
- C** Availability of Examination Documents
- D** Information about the Make a submission tab

This communication does not constitute legal advice.
Please view our [Privacy Notice](#) before sending information to the Planning Inspectorate.

Examination Timetable

The Examining Authority (ExA) is under a duty to **complete** the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at hearings.

Item	Matters	Date
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on the Examination Procedure, including the draft Examination Timetable • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at Open Floor Hearing 1 	Thursday 24 August 2023
2.	Preliminary Meeting - adjourned	Thursday 7 September 2023
3.	<p>Procedural Deadline B</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Written submissions on revised draft Examination Timetable • Requests to be heard orally at the Preliminary Meeting • Requests to be heard at Open Floor Hearing 1 (<i>Please respond even if you previously requested to be heard at the postponed OFH1</i>) 	Tuesday 31 October 2023
4.	Preliminary Meeting resumes	Wednesday 8 November 2023
5.	Open Floor Hearing 1 (Evening)	Wednesday 8 November 2023
6.	Issue Specific Hearing 1 regarding the Scope of the Proposed Development; Need, Site Selection and Alternatives; and Environmental Matters	Thursday 9 November 2023

7.	Issue by the ExA of Examination Timetable	As soon as practicable after the Preliminary Meeting
8.	<p>Deadline 1</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Statements of Common Ground requested by the ExA • Comments on Relevant Representations (RR) • Summaries of all RR exceeding 1500 words • Written summaries of oral submissions made at Open Floor Hearing 1 held on 8 November 2023 • Notification by Statutory Parties of their wish to be considered as an Interested Party (IP) by the ExA. • Applicant's draft itinerary for a Site Inspection • Requests to be heard by interested parties at a further Open Floor Hearing • Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing • Suggested locations for site inspections (Accompanied or Unaccompanied), including the reason for nomination, issues to be observed and whether the location(s) require access to private land. • Applicant's updated documents – clean and tracked version showing changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum 	Friday 24 November 2023

	<ul style="list-style-type: none"> ○ Book of Reference ○ Statement of Reasons ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents <ul style="list-style-type: none"> ● Any further information requested by ExA for this deadline 	
9.	<p>Deadline 1A</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Local Impact Reports from Local Authorities ● Written Representations (WR) ● Summary of all WRs exceeding 1500 words ● Comments on any Additional Submissions made after the close of the Relevant Representation period. 	Thursday 7 December 2023
10.	<p>Publication by the ExA of:</p> <p>First Written Questions (if required)</p>	Friday 15 December 2023
11.	<p>Deadline 2</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Comments on any submissions received by Deadline 1 ● Updated Statements of Common Ground in clear and tracked changes versions 	Wednesday 3 January 2024

	<ul style="list-style-type: none"> • Comments on the Applicant's draft itinerary for the Site Inspection • Applicant's updated documents – clean and tracked version showing changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents • Any further information requested by ExA for this deadline 	
12.	<p>Deadline 3</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's First Written Questions 	Tuesday 9 January 2024
13.	<p>Weeks reserved for hearings:</p> <ul style="list-style-type: none"> • Accompanied Site Visit (if required) • Issue Specific Hearing(s) (if required) • Open Floor Hearing(s) (if required) • Compulsory Acquisition Hearing(s) (if required) 	w/c 22 January and w/c 5 February 2024
14.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p>	Wednesday 28 February 2024

	<ul style="list-style-type: none"> • Comments on any submissions received by Deadlines 2 and 3; • Updated Statements of Common Ground in clean and tracked change versions • Written summaries of oral submissions made at hearings held w/c 22 January and w/c 5 February 2024 (if required) • Updated Applicant's documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified ○ Schedule of Progress towards securing other consents • Any further information requested by ExA for this deadline 	
15.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • Second Written Questions (if required) • Report on the Implications for European Sites (if required) 	Wednesday 13 March 2024
16.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p>	Friday 5 April 2024

	<ul style="list-style-type: none"> • Comments on any submissions received by Deadline 4 • Any further information requested by ExA • Responses to the ExAs Second Written Questions (if required) • Comments on the Report on Implications for European Sites (if required) 	
17.	Publication of the ExA's commentary on, or schedule of changes to, the draft Development Consent Order (if required)	Tuesday 16 April 2024
18.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any submissions received by Deadline 5 • Comments on ExA's commentary on, or schedule of changes to, the dDCO (if required) • Final Statements of Common Ground in clear and tracked changes versions • Updated Applicant's final documents – clean version and version showing tracked changes since the last submitted versions of: <ul style="list-style-type: none"> ○ Report on the interrelationships with other National Infrastructure Projects ○ Schedule of progress regarding objections and agreements in relation to Compulsory Acquisition, Temporary Possession, other land rights and blight ○ Schedule of progress regarding Protective Provisions and Statutory Undertakers ○ Schedule of the latest versions of the Applicant's submitted documents and documents to be certified 	Tuesday 30 April 2024

	<ul style="list-style-type: none"> ○ Schedule of Progress towards securing other consents ○ Draft Development Consent Order ○ Explanatory Memorandum ○ Book of Reference ○ Statement of Reasons <ul style="list-style-type: none"> ● Any further information requested by ExA 	
19.	<p>Deadline 7</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> ● Summary statements from parties regarding matters that they have previously raised during the Examination that have not been resolved to their satisfaction. ● Comments on any submissions received by Deadline 6 ● Any other information requested by the ExA for this deadline 	Wednesday 8 May 2024
20.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months	Wednesday 8 May 2024

Submission times for Deadlines

The time for submission of documents at any Deadline in the timetable is 23:59 on the relevant Deadline date, unless instructed otherwise by the ExA.

Publication dates

All information received will be published on the [project webpage](#) as soon as practicable after the Deadlines for submissions.

Report on the Implications for European Sites (RIES)

Where an applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on

the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the Secretary of State. The ExA may also raise questions in the RIES to confirm or clarify matters that remain outstanding.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Habitats Regulations 2017 and/or Regulation 28 of The Offshore Marine Regulations.

Other Procedural Decisions made by the Examining Authority (ExA)

Please refer to the [Rule 6 letter](#) of 10 August 2023 for Procedural Decisions made before the Preliminary Meeting regarding:

- The interrelationship with other projects ([Annex C of the Rule 6 letter](#))
- A request for various updates and documents from the Applicant to be submitted by deadline 1 ([Annex G of the Rule 6 letter](#))
- A request for Statements of Common Ground ([Annex H of the Rule 6 letter](#))

We also made a Procedural Decision to adjourn rather than close the initial Preliminary Meeting, the reasons for which were set out in our [Rule 9 Letter](#) of 13 September 2023.

We have made further Procedural Decisions following the Preliminary Meeting:

1. Examination Timetable

Local Impact Reports (LIR) and Written Representations (WR)

Representations were made by West Lindsay District Council requesting the extension of the deadline for the submission of LIRs and by Interested Parties regarding the degree of congestion relating to the deadlines of other local NSIPs, including around the deadline for the submission of WR. The ExA has carefully considered these representations and has inserted a new deadline, **Deadline 1A**, which is **Thursday 7 December 2023**, for the submission of LIRs and WRs. As a consequence, the publication of the Examining Authorities First Written Questions (FWQ) will also be delayed until 15 December 2023.

Deadlines 2 and 3

Following on from the decision regarding the deadline for the submission of LIR/WR and the publication of FWQ, Deadlines 2 and 3 will move to 3 and 9 January respectively to allow sufficient time for responses.

Hearings

Requests were made by the Applicant and Lincolnshire County Council regarding the timing of hearings. They will now take place if required w/c 22 January and w/c 5 February 2024.

Deadlines 4, 5 and 6

These deadlines have been modified to reflect the amendments to earlier deadlines and the dates reserved for hearings.

2. Additional Submissions

Following the close of Relevant Representations, a number of 'Additional Submissions' have been formally accepted into the Examination by the Examining Authority and been

published on the [project webpage](#). These documents can be viewed in the [Examination Library](#).

Interested Parties are asked to submit any comments they may have on these documents as part of their representations by **Deadline 1A**.

3. Statements of Common Ground (SoCG)

As a result of further correspondence between the Applicant and the Health and Safety Executive [AS-008], the Examining Authority has decided that a Statement of Common Ground between these parties is no longer required.

Availability of Examination Documents

The application documents and Relevant Representations are available on the [project webpage](#).

All further documents submitted in the course of the Examination will also be published under the [Documents](#) tab of the project webpage.

The Examination Library

For ease of navigation, please refer to the [Examination Library](#) which is accessible by clicking the blue button under the [Documents](#) tab. The Examination Library is updated regularly throughout the Examination.

The Examination Library records and provides a hyperlink to:

- Each application document;
- each representation made to the Examination; and
- each Procedural Decision made by the Examining Authority.

Each document is given a unique reference which will be fixed for the duration of the Examination. **Please quote the unique reference number from the [Examination Library](#) when referring to any Examination Documents in any future submissions that you make.**

Electronic deposit locations

Documents can be viewed electronically, free of charge, at the electronic deposit location/locations listed in the table below. Please note that you will need to bring a form of identification and register as a member/library member in order to use a computer at these locations.

Local authority	Venue/address	Opening hours	Printing costs
West Lindsey District Council	West Lindsey District Council Guildhall Marshall's Yard Gainsborough Lincolnshire DN21 2NA	Monday: 09:00 – 17:00 Tuesday: 09:00 – 17:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 17:00 Friday: 09:00 – 17:00 Saturday: Closed	Printing costs available on request from West Lindsey District Council

Local authority	Venue/address	Opening hours	Printing Costs
Lincolnshire County Council	Gainsborough Library Cobden Street Gainsborough Lincs DN21 2NG	Sunday: Closed Monday: 09:00 – 18:00 Tuesday: 09:00 – 18:00 Wednesday: 09:00 – 18:00 Thursday: 09:00 – 17:00 Friday: 09:00 – 18:00 Saturday: 09:00 – 13:00 Sunday: Closed	A4 BW COST 10p per side A4 COL COST 25p per side A3 BW COST 20p per side A3 COL COST 50p per side
Lincolnshire County Council	Lincoln Central Library Free School Lane Town Centre Lincoln	Monday: 09:00 – 17:00 Tuesday: 09:00 – 17:00 Wednesday: 09:00 – 17:00 Thursday: 09:00 – 18:00 Friday: 09:00 – 17:00 Saturday: 09:00 – 16:00 Sunday: Closed	A4 BW COST 10p per side A4 COL COST 25p per side A3 BW COST 20p per side A3 COL COST 50p per side
Nottinghamshire County Council	Retford Library Churchgate Retford Nottinghamshire DN22 6PE	Monday to Friday: 09:00 – 18:00 Saturday: 09:00 – 15:30 Sunday: Closed	A4 BW COST 20p per side A4 COL COST 50p per side A3 BW COST 50p per side A3 COL COST £1 per side

Information about the Make a submission tab

The [Make a Submission](#) tab is available on the project webpage.

You will need to enter your unique reference number ('Your ref' found at the top your postcard or email from the Planning Inspectorate) beginning either 2003 or WEBS. If you are making a submission on behalf of another person or organisation, and do not have your own unique reference number, then you should enter the unique reference number of the person or organisation you are representing. If you are not a registered Interested Party then it is at the discretion of the Examining Authority whether or not your submission is accepted.

Submissions will be published on the [project webpage](#) as soon as practicable following the close of the relevant Deadline. For further information about publishing submissions please view our [Privacy Notice](#).

You will be able to submit a document (upload file), make a text representation or both. It is possible to upload multiple files for each individual submission item. Electronic attachments should be clearly labelled with the subject title and not exceed 50MB.

Submissions **must not include hyperlinks** to documents/evidence hosted on a third party website eg technical reports, media articles etc. See the Planning Inspectorate's [Advice Note 8.4: The Examination](#) for further information about making written submissions. All submissions must be made in a format that can be viewed in full on the National Infrastructure Planning website. Any submissions that exceed 1500 words should also be accompanied by a summary; this summary should not exceed 10% of the original text.

You should select the relevant Deadline for your submission and then, on the next webpage, select the appropriate Submission item as described in the Examination Timetable at **Annex A** to this letter. Please ensure you make a separate submission for each Submission item and **do not duplicate your submission**. If you consider that your submission does not fit the description of any of the Submission items then please select the Submission item 'Other' and ensure that it is titled appropriately.

If you experience any issues when using the [Make a Submission](#) tab please contact the Case Team using the contact details at the top of this letter and they will assist.